

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN**

OPERATING ENGINEERS LOCAL 139
HEALTH BENEFIT FUND, *et al.*,

Plaintiffs,

CIVIL ACTION

v.

NO. 13-C-27

GREAT LAKES EXCAVATING, INC.,
a Wisconsin corporation,

Hon. Lynn Adelman

Defendant,

and

BURKHART CONSTRUCTION CORPORATION,

Garnishee Defendant

TURN-OVER ORDER

This matter coming on to be heard upon the Motion of Plaintiffs for entry of a turn-over order against Garnishee-Defendant, and the Court being fully advised in the premises, FINDS:

1. On April 1, 2013, judgment was entered by the Honorable Lynn Adelman in favor of Plaintiffs and against Defendant in the amount of \$88,314.26, plus post-judgment interest on said amount at the rate required by 28 U.S.C. §1961.

2. On September 4, 2014, Plaintiffs caused a Garnishment Summons and Complaint for Non-Earnings to be served on the Garnishee Defendant.

3. On September 25, 2014, Garnishee Defendant filed a Non-Earnings Garnishment Garnishee Answer indicating that it was in possession of \$7,718.00, which was then due and owing to Defendant.

4. There remains \$52,877.55, plus post-judgment interest, due and owing on the judgment entered on April 1, 2013.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED:

Plaintiffs have and recover from the Garnishee-Defendant, BURKHART CONSTRUCTION CORPORATION, the sum of \$7,718.00.

ENTER:

/s Lynn Adelman

UNITED STATES DISTRICT JUDGE

DATED: 10/31/14

Laura M. Finnegan
Attorney for the Plaintiffs/Judgment Creditors
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CERTIFICATE OF SERVICE

The undersigned, an attorney of record, hereby certifies that she caused a copy of the foregoing document (Turn-Over Order) to be served upon:

Daniel A. Peterson
McNally Peterson, S.C.
2600 North Mayfair Road, Suite 1080
Milwaukee, WI 53226

by U.S. Mail on or before the hour of 5:00 p.m. this 30th day of September 2014.

/s/ Laura M. Finnegan

Laura M. Finnegan
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